

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MAGTEN ASSET MANAGEMENT)	
CORPORATION,)	
)	
Plaintiff,)	C.A. No. 05-499-JJF
)	
v.)	
)	
MICHAEL J. HANSON and ERNIE J. KINDT,)	
)	
Defendants.)	
)	

**MOTION IN LIMINE OF DEFENDANTS
MICHAEL J. HANSON AND ERNIE J. KINDT
TO BIFURCATE LIABILITY AND DAMAGES PHASES OF TRIAL**

Defendants Michael J. Hanson (“Hanson”) and Ernie J. Kindt (“Kindt”), by and through their counsel of record, hereby respectfully request this Court to Bifurcate Liability and Damages Phases of Trial for the reasons more fully set forth in its Brief in Support of Motion in Limine to Bifurcate Liability and Damages Phases of Trial filed contemporaneously herewith and expressly incorporated herein by reference.

Dated: January 31, 2008

EDWARDS ANGELL PALMER & DODGE LLP

/s/ Denise Seastone Kraft
Denise Seastone Kraft (#2778)
919 N. Market Street
Suite 1500
Wilmington, DE 19801
302-425-7106
888-325-9741 Fax

Counsel for Michael J. Hanson & Ernie J. Kindt

OF COUNSEL:

Stanley T. Kaleczyc
Kimberly A. Beatty
BROWNING KALECZYC BERRY & HOVEN P.C.
139 North Last Chance Gulch
P.O. Box 1697
Helena, MT 59624
(406) 443-6820